

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

TRINIDAD RIVERA-CORONA,

Defendant.

NO. CR-07-2020-LRS-1

**ORDER DISMISSING DEFENDANT'S
28 U.S.C. § 2255 MOTION AS MOOT**

On March 11, 2010, this Court entered an Order Staying Defendant's 28 U.S.C. §2255 Motion Pending Appeal, Ct. Rec. 308. On October 19, 2010, the Ninth Circuit Court of Appeals Mandate was filed (Ct. Rec. 311) in this case, vacating Defendant Rivera-Corona's sentence and remanding the case for resentencing.

IT IS HEREBY ORDERED that:

1. Defendant's Motion Under 28 U.S.C. §2255 to Vacate, Set Aside, or Correct Sentence By A Person In Federal Custody, **Ct. Rec. 286**, is hereby **DISMISSED as MOOT** based on the Mandate from the Ninth Circuit Court of Appeals remanding this case for resentencing.

2. The District Court Executive is directed to:

(a) File this Order;

(b) Provide a copy to Defendant **AND TO** the United States Attorney, Yakima, Washington

DATED this 22nd day of October, 2010.

s/Lonny R. Suko

LONNY R. SUKO
Chief United States District Judge